

Rec'd PCT/H 25 JUL 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 3315

Takashi SAWAGUCHI

Art Unit: *To Be Assigned*

Appl. No.: 10/509,124

Examiner: *To Be Assigned*

International Filing Date: Sept. 28, 2004

Atty. Docket: 2261.0030000

For: **Novel Polyesterified Block
Copolymer and Process for
Producing the Same**

Information Disclosure Statement***Mail Stop Amendment***

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

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not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date

Atty. Dkt. No. 2261.0030000

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /O.A./

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of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

Atty. Dkt. No. 2261.0030000

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Takashi SAWAGUCHI
Appl. No. 10/509,124

Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).

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Document No. AL1 represents to provide a film and sheet having excellent properties such as flexibility, adhesiveness, antifogging and heat resistance or the like.

Document No. AM1 represents functional substances derived from oligoolefins having functional groups at the ends.

Document AN1 represents universal compatibilizing agent for polyolefines and polar plastics.

Document AO1 represents thermoplastic resin compositions.

Document AP1 represents block copolymers.

- 7. Copies of documents AL1, AM1, AN1, AO1, AP1, AR1, AS1, AT1, and AR2 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and

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indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Edward J. Kessler
Attorney for Applicant
Registration No. 25,688

Date:

25 July 2005

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423500

Atty. Dkt. No. 2261.0030000

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /O.A./

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
2261.0030000APPLICATION NO.
10/509,124FIRST NAMED INVENTOR
Takashi SawaguchiINT'L FILING DATE
March 26, 2003ART UNIT
To Be Assigned**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
/O.A./	AA1	4,526,927	07/02/1985	Hambrecht <i>et al.</i>			
/O.A./	AB1	4,910,321	03/20/1990	Kennedy <i>et al.</i>			
/O.A./	AC1	5,674,930	10/07/1997	Sugiura <i>et al.</i>			
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
/O.A./	AL1	2001-278928	01/24/20000	Japan			Yes No
/O.A./	AM1	WO 02/42340 A1	11/22/2001	PCT			Yes No
/O.A./	AN1	WO 02/20644 A2	03/14/2002	PCT			Yes No
/O.A./	AO1	0507561A1	10/07/1992	Europe			Yes No
/O.A./	AP1	0485982A2/A3	11/13/1991	Europe			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

/O.A./	AR	1	English Language Patent Abstract of Japanese Publication No. 2001-278928, Japanese Patent Office; 1 page, Publication Date October 10, 2001.
/O.A./	AS	1	English Language Patent Abstract of PCT Publication No. WO 02/42340 A1, Japanese Patent Office; 1 page, Publication Date May 30, 2002.
/O.A./	AT	1	English Language Communication from the European Patent Office, dated June 16, 2005, 4 pages.

EXAMINER	/Olga Asinovsky/	DATE CONSIDERED
		07/07/2008

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
2261.0030000APPLICATION NO.
10/509,124FIRST NAMED INVENTOR
Takashi SawaguchiINT'L.FILING DATE
March 26, 2003ART UNIT
To Be Assigned**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes
	AM2						No
	AN2						Yes
	AO2						No
	AP2						Yes
							No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

/O.A./	AR	<u>2</u>	English translation of Preliminary Examination Report for PCT/JP2003/003736 dated March 23, 2003; 6 pages.
	AS	<u>2</u>	
	AT	<u>2</u>	

EXAMINER

/Olga Asinovsky/

DATE CONSIDERED

07/07/2008

424183

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /O.A./